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Thomas H. Healey

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
MICHAEL STEPSKI, KIRSTEN STEPSKI, Wife,  
GEAL RODERICK AND BENJAMIN SCHOBBER,

**PLAINTIFFS'**  
**NOTICE OF MOTION**

Plaintiffs,

-against-

06 Civil 1694  
(JSG)

The M/V NORASIA ALYA, her owners,  
operators, etc., and MS "ALENA"  
SCHIFFFAHRTSGESELLSCHAFT mbH & CO. KG,  
PETER DOHLE SCHIFFFAHRTS-KG,

Defendants.

-----x  
  
**PLEASE TAKE NOTICE** that upon the accompanying memorandum of law and all the prior pleadings and proceedings herein, the undersigned attorneys for plaintiffs will move this Court before the Honorable James S. Gwin, at an United States Courthouse, for an order pursuant to Rules 49 and 50 of the Federal Rules of Civil Procedure setting aside the verdict and ordering a new trial on the grounds that the verdict is against the weight of the evidence, that the uncontroverted evidence established that the defendants were in violation of COLREGS in several respects, that the failure to frame properly the special verdict as proposed by the plaintiffs, that is, submission to the jury for specific

consideration the pertinent COLREGS and the shifting burden of proof was unreasonably prejudicial and for such other, further and different relief as the Court deems just and proper.

DATED: NEW YORK, NEW YORK  
April 2, 2010

Yours, etc.

THOMAS H. HEALEY, ESQ.  
Attorney for Plaintiffs

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